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2   RECORD OF ORAL HEARING

3   UNITED STATES PATENT AND TRADEMARK OFFICE

4   _____

5   BEFORE THE BOARD OF PATENT APPEALS

6   AND INTERFERENCES

7   _____

8

9   *Ex parte* JEFFREY A. BEDELL, BENJAMIN Z. LI,

10   LUIS V. OROZCO, and STEPHEN S. TRUNDLE

11   _____

12

13   Appeal 2009-004977

14   Application 09/883,301

15   Technology Center 2400

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18   Oral Hearing Held: May 4, 2010

19   _____

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22 Before JOHN A. JEFFERY, LEE E. BARRETT, and JEAN R. HOMERE,

23 Administrative Patent Judges.

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26 ON BEHALF OF THE APPELLANT:

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1   The above-entitled matter came on for hearing on Tuesday,

2   May 4, 2010, commencing at 9:28 a.m., at the U.S. Patent and Trademark

3   Office, 600 Dulany Street, 9th Floor, Hearing Room A, Alexandria,

4   Virginia, before John Hundley.

5   THE USHER: Calendar number 7, Appeal Number 2009-4977,

6   Mr. LeBlanc.

7   JUDGE JEFFERY: Okay. Thank you very much. Good

8   morning.

9   MR. LEBLANC: Good morning.

10   JUDGE JEFFERY: You have 20 minutes and you can begin

11   whenever you're ready.

12   MR. LEBLANC: Great. Thank you. My name is John

13   LeBlanc, to start off with. My Registration Number is 64,611. I'm here for

14   the appellant, Jeffrey Bedell.

15   I'd like to start by talking about some of the advantages of the

16   present invention. And the present invention allows users to be oblivious,

17   somewhat ignorant, of the back end of the database. So they can connect to

18   a reporting system and then a centralized server can map them to appropriate

19   database based on their request and database connection definition

20   information.

21   So the users don't have to maintain database configuration

22   information, specifically, at the client's side. It allows for easier client

23   deployment and reduces configuration problem across multiple clients and

24   multiple databases. It allows reuse of database connections for multiple

25   users to use the same database connection to a database, and it also allows

26   load balancing among databases. Lewis doesn't disclose mapping by a

1 centralized server to an appropriate database. Lewis at best discloses

2 mapping within a database to a schema object, and that's what the Examiner

3 has been applying when he's been deciding portions of Lewis.

4   JUDGE JEFFERY: Well, let me ask you about that, counselor.

5 I was sort of curious about mapping to a database schema. That would

6 mean taking a user and saying, okay, that user can access a particular subset

7 of a database. Correct?

8   MR. LEBLANC: That's correct.

9   JUDGE JEFFERY: Okay. So a subset of a database would

10 have data?

11   MR. LEBLANC: It might be, perhaps, a schema that's

12 dedicated to inventory versus sales versus an accounting. It might have

13 divisions like that or maybe portions for the warehouse and portions for

14 accounting, portions for sales.

15   JUDGE JEFFERY: I see. So a schema, a database schema then

16 is essentially a collection of data that's within a larger database?

17   MR. LEBLANC: Yes, sir.

18   JUDGE JEFFERY: I see.

19   JUDGE BARRETT: Could the schema itself be considered a

20 database?

21   MR. LEBLANC: No. I mean when you read the way that

22 Lewis, when you read Lewis in context, Lewis is already connected to the

23 database and it says that the schema or the mapping objects that were being

24 asserted to disclose the claim belong to a particular database. So since the

25 mapping objects belonged to a particular database they can't map to an

26 appropriate database. They already are part of one particular database.

1   JUDGE HOMERE: Counselor, explain to me how that

2   mapping works when you have a single database in the invention. How do

3   you map to a single database?

4   MR. LEBLANC: Well --

5   JUDGE HOMERE: Because, I mean, let's agree on one thing

6   here. This invention can be implemented on a single database.

7   MR. LEBLANC: Theoretically it could be.

8   JUDGE HOMERE: Okay. So you can --

9   MR. LEBLANC: Well, pardon me. I don't mean to interrupt,

10   but let me correct that. I would see this as having multiple tiers, a reporting

11   system with back-end databases, but there might be one back-end database

12   or might be only one back-end database that a user has access to.

13   JUDGE HOMERE: Okay. So how does that mapping work

14   now, if you have a single database? So two things can happen: you either

15   have access; or you do not have access to that database. So how do you map

16   to a single database?

17   MR. LEBLANC: Well, that wouldn't be a logical way to

18   configure a user. You presumably wouldn't give a user access to a reporting

19   system if they didn't have access to at least some of the back-end data, at

20   least a portion of the back-end data. But it's possible that they could submit

21   their information to a reporting system and then not be mapped to a

22   database. I don't know why an administrator would configure it in such a

23   way.

24   JUDGE HOMERE: I mean, so, pretty much what you're saying

25   is that, well, if this system were to be implemented using a single database, it

26   would be somewhat similar to what the priority is doing. Right? Because, I

1   mean technically in both cases what you have is a user requesting access to

2   the database. In both cases what you're going to have is you either have

3   access or you do not. So do you see what I'm saying?

4   MR. LEBLANC: The configuration information could still be

5   centralized and handled by the central server.

6   JUDGE HOMERE: What purpose would that play? The

7   central server, it seems to me, would play the role of a gatekeeper pretty

8   much, saying that while you have access or you do not have access. Right?

9   Beyond that, I mean, would any mapping that that centralized server need to

10 do?

11   MR. LEBLANC: Well, an advantage would be that, I mean,

12 let's assume we're talking about where they have access to one database as a

13 single database to take your argument. The advantage would be that you

14 could still deploy plurality of clients without having to worry about the

15 back-end database configuration at each individual client. They would need

16 to connect to the reporting system and the reporting system could map them

17 to the database.

18   JUDGE JEFFERY: Counselor, let me take a real world

19 example, just so I understand how this works. Let's take, for example, the

20 private PAIR database. Here at the PTO, everybody knows and loves it. To

21 get to that database, I have to somehow authenticate first. Otherwise, the

22 data will be compromised, so I have to go through some sort of gatekeeper

23 to log in and enter in the appropriate authentication information. And once

24 that happens, I then have access to my application on private PAIR, and only

25 me.

1   Would that be a mapping of me to the data that I'm trying to

2   access in the PAIR system?.

3   MR. LEBLANC: Well, I would, say, if you can consider

4   "PAIR" a reporting system.

5   JUDGE JEFFERY: Yeah, just for the sake of argument.

6   MR. LEBLANC: For the same of argument, I'm not familiar

7   with the back end of "PAIR," and how that works.

8   JUDGE JEFFERY: Oh, sure. I'm just wondering. Just the idea

9   of going through an authentication before you have access to a database

10   beyond the firewall, if you will. Is that a mapping, once I get through that

11   firewall by authenticate is the question.

12   JUDGE HOMERE: And on top of that, on top of the map, I

13   mean, to expand on what he's saying here, when he asks is this the private

14   PAIR, you would only get access to certain data so the system would say,

15   well, okay. Since a delay of credentials, this is the data that you can access;

16   whereas, in my case for instance I'd be able to access a different set of files.

17   So is that mapping as to all respective data?

18   MR. LEBLANC: I suspect that it's probably a single database,

19   so I suspect that once you're in, you're not really mapped, but you're

20   authenticated for the entire system within your privileges. So what you can

21   see is filtered down by your access rights, but you're connected, I guess, to

22   perhaps one database in the back end. I don't know how PAIR is structured.

23   JUDGE JEFFERY: Well, let's assume for the sake of argument

24   that, you know, you get through the PAIR system and you can access only

25   one patent application's data that you're associated with due to your

26   permissions. And let's assume that the database is just one database with a

1   lot of records, each record being its own patent application. So the fact that I

2   got through the authentication system and was able to access one and only

3   one patent application have I been mapped to a database. That's my

4   question.

5   MR. LEBLANC: I'd say you've been logged-in and

6   authenticated.

7   JUDGE JEFFERY: Logged in and authenticated, I'm

8   authorized to do that.

9   MR. LEBLANC: For authorized access the subset of data in

10 the database, I'd say, mapping the claim reads specifically mapping the user

11 to at least one appropriate database based on the user request and the

12 database connection definition. I think of that more like hard coating. The

13 Examiner also put out asserted citations.

14   JUDGE HOMERE: You're not answering his question. I don't

15 know why we're going back to the claim here when he asked you specific

16 questions. Let's stick with the hypothetical here and try to flesh that out.

17 Then we can move back to the plan.

18   MR. LEBLANC: Yes, Judge.

19   JUDGE HOMERE: Okay.

20   MR. LEBLANC: I think that if you're always going to go to the

21 same back-end system, then you're not being mapped.

22   JUDGE BARRETT: Why not? Isn't mapping just a

23 correspondence between one, you know, one input and some output? And if

24 it's just a one to one it's from this user to that database. I don't think you

25 even need to say that it goes to a particular subset of the database, as long as

26 it goes to the PAIR database. That's a mapping. It may be a trivial.

1   MR. LEBLANC: I'd say that you've already made the choice

2 when you're going to a single system as to where your destination is and it's

3 determined when you log in. You're logging into a single system. You

4 provide the credentials and you're either in or out. You're not mapped to an

5 appropriate database. You're directed to a single system.

6   JUDGE BARRETT: But when you log in to PAIR, you're

7 asking for mapping to that PAIR database. I mean it says at least one

8 appropriate database. That's one database.

9   MR. LEBLANC: And then you said you are logging into that

10 database, so you are making the choice in that case. It's not the centralized

11 server mapping you to an appropriate database.

12   JUDGE BARRETT: When you log into that screen, that's

13 mapping you to that database. Isn't it?

14   MR. LEBLANC: I don't think that gives the proper weight to

15 map and appropriate, because I think it's already determined. You can't do

16 anything but. It's hard-coded.

17   JUDGE HOMERE: What you're saying here makes sense when

18 you have multiple databases, so when there are multiple options, but if that's

19 a single database, you know, you only have one option. You can get in.

20 You qualify to get in or not. That's all there is. So from what I'm

21 understanding, it would seem like you're saying, now, if you have a single

22 database, then really you cannot have mapping. It doesn't make a whole lot

23 of sense. That's what I'm getting from what you're saying. Is this accurate?

24   MR. LEBLANC: Well, what you said is either you can get in

25 or not. I suppose it's like we were discussing earlier. It could be possible

26 that you could be authenticated to reporting system, but not have access to

8

1   any of the back-end data and not be mapped to -- say -- the single back-end

2   database as opposed to getting in and automatically, once you're

3   authenticated, you're in to the single database.

4   So if you submit your information to the reporting system, you

5   authenticate into the reporting system and then based on the database

6   connection definition, you don't have access to in this hypothetical, the

7   single database. You might not be mapped to that database at all. So then

8   you would have chosen to go to the reporting system, but you wouldn't be

9   mapped to an appropriate database, because in this hypothetical there was

10   one and you don't have the privileges for it.

11   JUDGE HOMERE: So the bottom line is I'm trying to

12   understand what you just said here. If you have a single database and then

13   you are allowed to access, or your credentials enable you to access it, then

14   you are mapped. Right?

15   MR. LEBLANC: If you have a single database and you submit

16   your information into the reporting system, and based on your request and

17   the database connection definition you could be mapped to that database.

18   JUDGE HOMERE: Okay.

19   MR. LEBLANC: I'm sorry. I'm not trying to ignore your

20   comment, I'm just trying to -- I want to make sure.

21   JUDGE JEFFERY: Counsel, if I may, I think part of the

22   misunderstanding here is what's the difference between accessing a database

23   through a credential-based authentication system and being mapped to that

24   database. I think that's the key distinction here that we have to flesh out.

25   You know, is there any difference between somehow getting access to a

26   database through an authentication system and being mapped to it?

1   MR. LEBLANC: Well, technically speaking, one of the

2 differences would be where, you know, if you're going directly to the

3 database. From what I've seen in the real world I used to work for in the

4 number of years doing database deployment, if you use like a direct query

5 tool for something like Sequel on a client, or a more of a thick client that

6 went directly to a database, you had to maintain a number of files, especially

7 for like ODBC on the client to provide the proper information to connect to

8 the database.

9   I used to remember the file names, like TNS names or other file

10 names. So if you didn't have the right client configuration, regardless of

11 your ability to authenticate, if you had a user name and password, we're okay

12 on the database side and you knew them. If your client configuration was

13 messed up, you wouldn't be able to get in.

14   JUDGE JEFFERY: I understand. But couldn't you have used a

15 standard web browser, let's say, to access remote databases, including RSA

16 to U.S. PTO's own databases without that complicated ODBC files that you

17 indicated you would need at the client? Couldn't you just use a web

18 browser? And once you authenticate into the system, that browser then can

19 access that data beyond the firewall, if you will, through some sort of

20 correlation between it knows and I have a browser on my end with particular

21 characteristics that enable it to get to that otherwise inaccessible data.

22   My point being why is that not a mapping at the end of the day,

23 if in fact only my browser can get to only that data after authentication. I'm

24 not talking about these peculiar files that may be required for an ODBC kind

25 of thing. I'm talking about just a simple Netscape or Internet Explorer

26 browser that is trying to access data in, let's say, the PTO, for example.

1   That's as good an example as any. We have huge databases here. So, you

2   know, the fact that my browser can then get data through authentication

3   seems to me why is that not mapping that browser or that user access to that

4   data?

5   MR. LEBLANC: Well, I mean, I would say that the word

6   "mapping" is used in conjunction with appropriate database.

7   JUDGE JEFFERY: Okay. Now, the PAIR database.

8   MR. LEBLANC: And I'd say that it doesn't give it proper

9   weight if it's predetermined what database it's going to be going to when you

10   get to the log-in.

11   JUDGE JEFFERY: Okay. Thank you.

12   MR. LEBLANC: So that's my view on it is that when you're

13   going to the reporting system, if you take the equivalent to be going directly

14   to a system that is dedicated to one back end and you're going to go there

15   regardless, it doesn't give full weight to mapping and appropriate.

16   JUDGE JEFFERY: Counsel, our time is limited here. I wanted

17   to ask you another question about the Lewis reference here. In Figure 4 of

18   Lewis, if you could take a look at that; and, actually, Figure 4 and Figure 5,

19   actually Figure 5 might even be a better one to look at here for purposes of

20   the discussion, it looks like to me that the functionality in this figure is

21   taking a user and somehow figuring out which databases that that user can

22   link to as part of this arrangement in Lewis.

23   I wanted to get your thoughts on why that wouldn't be a

24   mapping of particular user to particular databases based on their

25   permissions, and right above in Figure 5 there's a sort of a table of users and

26   particular databases that I think it's part of a trusted arrangement where if it

1   determines particular databases are trusted or "untrusted," that those

2   databases can be accessible to a particular user. So my question to you is

3   why is that not a mapping.

4   MR. LEBLANC: This I believe is using the links,

5   preestablished links.

6   JUDGE JEFFERY: Yes.

7   MR. LEBLANC: And I know that the link at least -- let me see

8   what the exact citation was -- was applied against us was in column 10. I'm

9   not sure if that's related to Figure 5 or not. They talked about fixed user

10   name lengths. In that case, in the case of the links that were applied against

11   us, they were hard-coded, so it always went to the same place regardless of

12   the user in the case of Figure 5.

13   JUDGE JEFFERY: And, also, I would throw in too Claim 1 of

14   the patent actually sort of touches on this particular feature of the reference

15   in terms of establishing particular links based on certain conditions, you

16   know, with respect to users. That's Claim 1 of the patent's claims there.

17   You can continue, counsel, to answer the question.

18   MR. LEBLANC: Thank you, Judge.

19   JUDGE JEFFERY: This struck me as being some kind of

20   feature that looks like it's linking databases together are providing access on

21   a per user basis based on their characteristics of the users.

22   MR. LEBLANC: This was a trust relationship.

23   JUDGE JEFFERY: Yes.

24   MR. LEBLANC: I believe what it does is it trusts between

25   databases. I think the trust is based -- I'd have to look and see -- I believe

26   since this wasn't applied against this. I don't recall, but I believe the trust

1   was based on the databases, whereas, hey, it went something like -- correct

2   me if you read it -- and if you recall I read through the entire reference, but I

3   don't recall this off the top of my head. But I believe it went as follows, that

4   if you were trying to get access to database B and database B knows

5   database A, and you're authenticated to database A, it's willing to accept

6   database A's authentication for you and allow you access to the database.

7   JUDGE JEFFERY: And it would create a link to database B,

8   too?

9   MR. LEBLANC: Yeah, allow you access from A to B. And I

10   believe that's how it works, and the links between databases directly then

11   you're kind of -- I have to think about it -- you're kind of mixing the

12   elements of the databases and the centralized server. And you'd have to

13   assert that one of the databases is a centralized server mapping to another

14   database. And it becomes somewhat difficult for me to read that on the

15   claim when it's directly between the two databases itself and not with a

16   centralized server doing the mapping.

17   JUDGE JEFFERY: Okay. Thank you.

18   MR. LEBLANC: Does that answer it?

19   JUDGE JEFFERY: That's fine, thank you. Any other

20   questions?

21   JUDGE BARRETT: I have one question on the definition of a

22   reporting system is why isn't just a database in Lewis a reporting system?

23   You send it a query. It sends back some sort of answer. Isn't that a reporting

24   system as broadly described?

25   MR. LEBLANC: We described a reporting system in the field

26   of the invention of the present application, and the Examiner cited that. And

1   we gave examples of decision support systems and business intelligence

2   systems, and on-line analytical processing and other systems.

3   JUDGE BARRETT: Other systems? I mean it's a database

4   system. You send it a request. You send it a query. It sends you something

5   back, and it seems like the broadest interpretation reporting system is

6   anything that responds to a query. Google is a reporting system. It doesn't

7   have to be a business in a business environment or this on-line analytical

8   processing.

9   MR. LEBLANC: If you look at -- I mean I tend to think of -- I

10 think it reads more consistently to think of a database as more the back-end

11 storage. That's more consistent with like Figures 1 and Figures 8 of the

12 present application where they have like an intelligence servers element 103,

13 Figure 1, and then the back-end database is 108 A through 108 N. So they

14 differentiate between the like the intelligence server and the databases in that

15 case.

16   JUDGE BARRETT: It's got to be something that interrogates

17 those databases and returns some sort of reply based on a query. Right? I

18 mean it is a database system. It's designed to respond to queries. I mean a

19 reporting system we just hate to read too much into a reporting system when

20 it's a pretty broad term.

21   MR. LEBLANC: But I wouldn't read it as broad too, especially

22 when you look at like Figures 1 and 8. I wouldn't read it as broad, the rated

23 directly on the database itself, and in view of that specification as a whole.

24   JUDGE BARRETT: No more questions.

25   JUDGE JEFFERY: Okay, thank you, counsel. I think that will

26 do it.

1   MR. LEBLANC: Thank you for your time today. I appreciate

2   it.

3   Whereupon, at 9:49 a.m., the proceedings were concluded.

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